

REMARKS

Claims 1 to 64 are pending, claims 1 to 46, 56, and 58 are withdrawn from consideration, and claims 47 to 55, 57, and 59 to 64 are pending and rejected. Applicant is herein amending claims 47 and 60. Applicant requests reconsideration of the rejection in light of the amendments to the claims and the following response.

Amendments to Claims

Applicant is herein amending claim 47 to specify that it is directed to a “process” rather than a “method,” so that it provides proper antecedence for the claims that depend from it which are directed to “the process of claim 47.” No new matter is introduced by the amendment to claim 47. Support for the amendment to the claim may be found, *inter alia*, in dependent claims 48 to 55, and 57.

Applicant is also herein claims 47 and 60 to further specify that the traveling electric field desorbs the adsorbed substance and subsequently moves it. No new matter is introduced by the amendments to claims 47 and 60. Support for amendment to the claim may be found in the specification, *inter alia*, page 15, lines 12 to 17 and page 17, lines 17 to 20.

Rejection under 35 U.S.C. § 102(e)

Claims 47 to 55, 57, and 59 to 64 are rejected under 35 U.S.C. § 102(e) as allegedly anticipated by US-B-7,077,891 (“Jaffe patent”). These claims are also rejected for the same reasons with respect to US-A-3,727,375 (“Wallace patent”), US-A-3,730,885 (“Makrides patent”), and US-A-5,505,825 (“Gold patent”).

Applicant respectfully traverses the rejection because the Jaffe patent does not disclose, teach, or suggest a process of separating materials including a step, *inter alia*, where the absorbent material is electrically charged so as to generate *a traveling electric field* to

desorb the adsorbed material and move it through the absorbent material. Furthermore, with respect to independent process claim 60, Jaffe does not disclose, teach, or suggest any process for thermal management using any working fluid. The other three cited patent likewise do not disclose, teach, or suggest these features.

The Jaffe patent discloses in claim 20 a pressure swing adsorption apparatus where the sheet that forms the parallel passage contactor is electrically contacted at both ends. The Jaffe patent is otherwise silent with respect to this aspect of the apparatus. No description is provided in the specification that indicates how the electrical contact at both ends is used in the device. No step is described where the absorbent material is electrically charged so as to generate *a traveling electric field* to desorb the adsorbed material and move it through the absorbent material, a required step in independent process claim 47 and independent process claim 60, and each of their dependent claims.

Likewise, the Wallace patent, the Makrides patent, and the Gold patent do not disclose, teach, or suggest any process using a traveling electric field to desorb the adsorbed material and move it through the absorbent material.

Furthermore, the Jaffe patent the Wallace patent, the Makrides patent, and the Gold patent do not disclose, teach, or suggest any process for thermal management using a working fluid, as required by independent process claim 60 and its dependent claims.

Accordingly, the rejection for alleged anticipation of claims 47 to 55, 57, and 59 to 64 under 35 U.S.C. under 35 U.S.C. § 102(e) by the Jaffe patent as well as the Makrides patent , the Wallace patent, and the Gold patent is improper and should be withdrawn. *Akzo v. U.S.I.T.C.*, 808 F.2d 1471, 1480 (Fed. Cir. 1986) (anticipatory reference must “clearly and unequivocally disclose the claimed [invention] or direct those skilled in the art to the [invention] without any need for picking, choosing and combining various disclosures not directly related to each other by the teachings of the cited reference.”).

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Conclusions

Applicant requests:

- entry of the amendments to the claims; and
- reconsideration and withdrawal of the novelty rejection of claims 47 to 55, 57, and 59 to 64 and allowance thereof.

If the Examiner is of a contrary view, the Examiner is requested to contact the undersigned attorney at (404) 459-5642.

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